

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

LIONEL GONZALEZ-TORRES,  
Defendant.

Case No. 20-cr-146-JCC

MOTION FOR DISCLOSURE OF  
MOTION TO DISMISS FILED BY  
CO-DEFENDANT

*Noting Date: March 5, 2021*

Defendant Gonzalez-Torres, by and through his attorney of record, hereby moves for disclosure of the Motion to Dismiss Indictment filed by co-defendant Jesus Lerma-Jaras on February 12, 2021 – Docket No. 52 (hereinafter, “Motion to Dismiss”).

The Motion to Dismiss was sealed by the clerk at the direction of chambers, pursuant to LCrR 55. Co-defendant Lerma-Jaras is currently unrepresented by

1 counsel, as his previous counsel was terminated on February 8, 2021 (Docket No.  
2 51), and new counsel has not yet been appointed to represent Mr. Lerma-Jaras.

3 Local Criminal Rule 55(b)(13) provides that the clerk shall seal and limit  
4 access to “documents received from a defendant who is represented by counsel,  
5 *pending review by and specific order of the court.*” Although Mr. Lerma-Jaras is not  
6 currently represented by counsel, we request that this Court review the submitted  
7 documents.  
8

9 Defendant Gonzalez-Torres is concerned that the filed documents contain  
10 case-related statements by his co-defendant. If so, defendant Gonzalez-Torres  
11 requests disclosure of those documents to his counsel. Without disclosure, this  
12 document might be considered an *ex parte* communication. Defendant Gonzalez-  
13 Torres may wish to file a response to the Motion to Dismiss, or choose some other  
14 course of action.  
15

16 Even if this Court determines that the Motion to Dismiss should remain under  
17 seal, we respectfully request that this Court consider disclosure of the document to  
18 defendant Gonzalez-Torres – even if a protective order is deemed appropriate.  
19

20  
21 RESPECTFULLY SUBMITTED this 22<sup>nd</sup> day of February, 2021,

22 s/ Scott J. Engelhard

23 Scott J. Engelhard  
24 WSBA #13963  
25 Attorney for Defendant